

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

UNITED STATES OF AMERICA	§	
	§	No. 9:18CR42
v.	§	Judge Clark
	§	
ALEXANDER NATHAN BARTER	§	

ELEMENTS OF THE OFFENSE

The defendant, **Alexander Nathan Barter (Barter)**, is charged in Counts Two and Four of the First Superseding Indictment with violating 18 U.S.C. § 2422(a) (Attempted Coercion and Enticement) and 18 U.S.C. §§ 2252A(a)(2)(A) and (b)(1) (Distribution of Child Pornography and Attempt). The elements of the offense that the government must prove beyond a reasonable doubt, but that **Barter** would admit if his pleas are accepted, are:

Count Two: Attempted Coercion and Enticement

18 U.S.C. § 2422(a)

1. The defendant knowingly attempted to persuade, induce, entice or coerce any individual to travel in interstate or foreign commerce; and
2. The purpose of the travel was for the individual to engage in prostitution or any sexual activity for which any person can be charged with a criminal offense, including a violation of Texas Penal Law Section 22.021.

Count Four: Distribution of Child Pornography and Attempt

18 U.S.C. § 2252A(a)(2)(A)

1. The defendant knowingly distributed an item(s) of child pornography, and attempted to distribute an item(s) of child pornography, as alleged in the First Superseding Indictment;

2. The item(s) of child pornography had been shipped or transported in or affecting interstate or foreign commerce by any means, including by computer; and
3. When the defendant distributed the item(s), the defendant knew the item(s) were child pornography.

Respectfully submitted,

JOSEPH D. BROWN
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/s/

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CERTIFICATE OF SERVICE

I certify that a copy of this document was served by electronic filing to opposing counsel on December 16, 2019.

/s/

Marisa J. Miller